

May 15, 1997

**REPORTING REQUIREMENTS FOR THE PRIVACY ACT REPORT
FOR CALENDAR YEAR 1996 (RCS 72-0601)**

1. **PURPOSE:** This Veterans Health Administration (VHA) Directive provides the requirements and format for reporting statistical data for calendar year 1996 that will be used to compile the Department's biennial Privacy Act Report for calendar years 1996 and 1997.

2. **BACKGROUND:** The Privacy Act of 1974 (Title 5 United States Code (U.S.C.) 552a) requires Department of Veterans Affairs (VA) to submit to the Office of Management and Budget (OMB) information for inclusion in the President's Biennial Privacy Act Report to Congress. Information on systems of records and changes made to those systems during the report period, statistical data on requests for access to or amendment of records by individuals, and other information about the administration of the Act are included. Basic requirements for the report are contained in Appendix 1 to OMB Circular A-130 (Revised), Management of Federal Information Resources, dated June 25, 1993. OMB issues supplemental instructions by separate memorandum, as needed.

3. **POLICY:** Although Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, amended the Privacy Act and changed the reporting requirements from annual to biennial, statistical data for VHA health care facilities will be collected and submitted annually for inclusion in the Department biennial report.

4. **ACTION:** Submit the following information either typed on plain bond paper or using the VA Form 10-0352, Reporting Requirements for the Privacy Act Report for Calendar Year 1995 (RCS 72-0601), in Attachment A. The report form may be reproduced locally

a. **Reporting.** Only requests from individuals for access to or amendment of agency records about themselves will be counted and reported. The records must be maintained in a Privacy Act system of records (such as Patient Medical records - VA (24VA136) or Official Personnel File (OPM/GOVT-1). The individual need not specifically cite the Privacy Act as the basis for the request, but the request must be from the patient or guardian on behalf of the patient. Third-party requests and disclosures that are made pursuant to a system of records routine use statement will not be reported.

b. Requests by individuals for access to their records:

(1) Total number of requests for access.

(2) Number of requests for access granted in whole.

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- (3) Number of requests for access granted in part.
- (4) Number of requests for access denied in full.
- (5) Number of requests for access for which no record was found.

NOTE: (1) = (2) + (3) + (4) + (5)

c. Requests by individuals for amendment of their records:

- (1) Total number of requests for amendment.
- (2) Number of requests for amendment granted in whole.
- (3) Number of requests for amendment granted in part.
- (4) Number of requests for amendment denied in full.

NOTE: (1) = (2) + (3) + (4)

d. Provide the name, position title, and FTS telephone number of the individual who can respond to questions about your facility's report.

e. The report, with a cover memorandum signed by the facility Director, is due no later than July 1, 1997. Negative reports must be submitted. Reports may be faxed to FTS (202) 273-9609 or mailed to:

Ms. Celia Winter, FOIA/Privacy Act Officer (161F)
Health Administration Service, VHA Headquarters
Department of Veterans Affairs Central Office
810 Vermont Avenue, NW
Washington, DC 20420

f. Questions concerning the report may be addressed to Celia Winter, FOIA/Privacy Act Officer (161F), or Barbara Jones, Health Administration Service, VHA Headquarters. Ms. Winter may be contacted at (202) 273-6274 or 8300; Ms. Jones may be contacted at 273-8316.

5. REFERENCES

- a. VA Manual M-1, Part I, Chapter 9.
- b. Appendix I to OMB Circular A-130.
- c. Title 38, Code of Federal Regulations, Sections 1.575 through 1.584.

d. Title 5 U.S.C. 552a.

6. **FOLLOW-UP RESPONSIBILITY**: Director, Health Administration Service (161), is responsible for the content of this Directive.

7. **RESCISSION**: This Directive will expire on July 30, 1997.

S/ by Pam Galyean for
Kenneth W. Kizer, M.D., M.P.H.
Under Secretary for Health

Attachment

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ATTACHMENT A

Attachment A, a copy of VHA Form 10-0352, Reporting Requirements for the Privacy Act Report for Calendar Year , RCS 70-0601, is not available electronically. A copy may be found in the Under Secretary for Health's Library, Room 675 HH, VA Central Office.